

COMBINED DECLARATION AND POWER OF ATTORNEY
IN PATENT APPLICATION

As a below-named inventor, I hereby declare that:

my residence, post office address and citizenship are as stated below next to my name;

I believe that I am the original, first and joint inventor of the subject matter that is claimed and for which patent is sought on the invention entitled: RECOMBINANT SECOISOLARICIRESINOL DEHYDROGENASE, AND METHODS OF USE, the specification of which was filed on October 23, 2000 as United States Application No. 09/673,918, which is the U.S. national phase of PCT/US99/08975 filed on April 23, 1999.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(c) of any foreign application(s) for patent listed below and have also identified below, any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: NONE

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(d) of any inventor's certificate listed below. I declare that, upon investigation, I am satisfied that to the best of my knowledge, when filing the application for the inventor's certificate I had the option to file an application for either a patent or an inventor's certificate as to the subject matter of the identified claim or claims forming the basis for the claim of priority: NONE

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application listed below:

Application No.

60/082,977

Filing Date

04/24/98

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) or PCT international application(s) designating the United States listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which

occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior PCT Application:

| Application No. | Filing Date | Status |
|-----------------|----------------|------------|
| PCT/US99/08975 | April 23, 1999 | abandonedp |

14- I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith: Bruce E. O'Connor, Reg. No. 24,849; Lee E. Johnson, Reg. No. 22,946; Gary S. Kindness, Reg. No. 22,178; James W. Anable, Reg. No. 26,827; James R. Uhliir, Reg. No. 25,096; Jerald E. Nagae, Reg. No. 29,418; Dennis K. Shelton, Reg. No. 26,997; Jeffrey M. Sakoi, Reg. No. 32,059; Ward Brown, Reg. No. 28,400; Robert J. Carlson, Reg. No. 35,472; Marcia S. Kelbon, Reg. No. 34,358; Rodney C. Tullett, Reg. No. 34,034; Daiva K. Tautvydas, Reg. No. 36,077; Mary L. Čulić, Reg. No. 40,574; and the firm of Christensen O'Connor Johnson Kindness^{PLLC}. Address all telephone calls to Barry F. McGurl at telephone No. 206.695.1775.

Address all correspondence to:

CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, WA 98101-2347

100 I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | |
|---|----------------------|
| Full Name of Inventor Zhi-Qiang XIA | Citizenship China |
| Residence 259 Colburn Street, #1, Dedham, MA 02026 | MA |
| Post Office Address Same as above. | |
| Inventor's Signature Zhi-Qiang XIA | Date |

200

Full Name of Inventor Michael A. COSTA Citizenship U.S.A.

Residence 275 N.W. Sunrise Drive, Pullman, Washington 99163 NA

Post Office Address
Same as above.

Inventor's Signature Michael A. Costa Date Dec. 14, 2000

Full Name of Inventor Laurence B. DAVIN Citizenship France

Residence 1710 N.E. Upper Drive, Pullman, Washington 99163

Post Office Address
Same as above.

Inventor's Signature Date

Full Name of Inventor Norman G. LEWIS Citizenship Canada

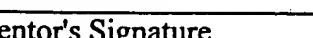
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Inventor's Signature Date

BFM:jlj

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|--|-----------------------|
| Full Name of Inventor Michael A. COSTA | Citizenship U.S.A. |
| Residence 275 N.W. Sunrise Drive, Pullman, Washington 99163 | |
| Post Office Address Same as above. | |
| Inventor's Signature | Date |

| | | |
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| 3-10 | Full Name of Inventor <u>Laurence B. DAVIN</u> | Citizenship France |
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| Post Office Address | Same as above. | |
| Inventor's Signature | Date | |
|  | <i>22 December 2005</i> | |

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| Full Name of Inventor Norman G. LEWIS | Citizenship Canada |
| Residence 1710 N.E. Upper Drive, Pullman, Washington 99163 | |
| Post Office Address Same as above. | |
| Inventor's Signature <u>Norman G. Lewis</u> | Date 22 December 2005 |

BFM:jlj

PATENTS ONLY

To the Director - U.S. Patent and Trademark Office: Please record the attached original documents or copy thereof.

| | |
|--|-------------------|
| 1. Name of conveying party(ies): | Execution Date: |
| Zhi-Qiang Xia | December 14, 2000 |
| Michael A. Costa | December 14, 2000 |
| Laurence B. Davin | December 22, 2000 |
| Norman G. Lewis | December 22, 2000 |
| Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |

2. Name and address of receiving party(ies):

Name: Washington State University Research Foundation
Address: NE 1615 Eastgate Boulevard, Pullman, WA 99164

Additional name(s) & address(es) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other: _____
 Execution date: See Above

COPY

4. Application number(s) and/or patent number(s):

A. Patent Application No(s). 60/082,977

B. Patent No(s).

Additional numbers attached? Yes No

If this document is being filed together with a new patent application, enter the date the patent application was signed by the first named executing inventor: _____

5. Name and address of party to whom correspondence concerning document should be mailed:

Barry F. McGurl, Esq.
Customer No. 26389
CHRISTENSEN O'CONNOR
JOHNSON KINDNESS PLLC
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206.682.8100

6. Total number of applications and/or patents involved: 1

7. Total fee (37 C.F.R. 3.41): \$ \$40.00

Enclosed Check No. 124102 includes the recordation fee.

8. The Director is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 03-1740. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application.

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Barry F. McGurl

Name of Attorney or Agent
Registration No. 43,340
Direct Dial 206.695.1775

Signature

1/2/2001.

Date

Total number of pages including cover sheet, attachments, and document: 6

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to the Director - U.S. Patent and Trademark Office, Washington, D.C. 20231, on the below date.

Date: 1/2/01

Judith Jeppesen

NUNC PRO TUNC ASSIGNMENT

WHEREAS, we, Zhi-Qiang Xia, residing at 259 Coburn Street, #1, Dedham, MA 02026, Michael A. Costa, residing at 275 N.W. Sunrise Drive, Pullman, Washington 99163, Laurence B. Davin, residing at 1710 N.E. Upper Drive, Pullman, Washington 99163 and Norman G. Lewis, residing at 1710 N.E. Upper Drive, Pullman, Washington 99163, are the inventors named in a United States provisional application, entitled RECOMBINANT SECOISOLARICIRESINOL DEHYDROGENASE AND METHODS OF USE, Application No. 60/082,977, filed on April 24, 1998;

AND, WHEREAS, Washington State University Research Foundation, a non-profit corporation of the State of Washington, having a principal place of business at NE 1615 Eastgate Boulevard, Pullman, Washington 99164 (hereinafter referred to as ASSIGNEE), has acquired our entire right and title to and interest in our invention disclosed in said provisional application and in any future nonprovisional applications claiming the benefit of priority of said provisional application, including International Application No. PCT/US99/08975, filed April 23, 1999, and U.S. Patent Application No. 09/673,918, filed October 23, 2000;

NOW, THEREFORE, *nunc pro tunc*, for sufficient, good and valuable consideration, the receipt of which is hereby acknowledged, we do hereby memorialize and confirm the understanding of the parties that we did sell, assign and transfer unto ASSIGNEE, effective April 24, 1998, our entire right and title to and interest in said provisional application and said invention, including the right to apply for international patents and patents thereon in the United States and in foreign countries in our names or in the name of ASSIGNEE, said invention and all provisional and nonprovisional applications and patents on said invention to be held and enjoyed by ASSIGNEE as entirely as the same would have been held and enjoyed by us had this sale, assignment and transfer not been made, and we do hereby further agree and promise to execute all instruments and render all such assistance as ASSIGNEE may request in order to make and prosecute any and all applications on said invention, to enforce any and all provisional applications and nonprovisional applications and patents on said invention, and to confirm in ASSIGNEE legal title to said invention and all provisional and nonprovisional applications and patents on said invention, all without charge to ASSIGNEE but at no expense to us.

Executed at Alexington (city), MA (state), this December
day of 14, 2000.

Zhi-Qiang Xia
Zhi-Qiang Xia

STATE OF)
)
) ss.
COUNTY OF)

I certify that I know or have satisfactory evidence that Zhi-Qiang Xia is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 12/14/00

(Seal or stamp)

LORI L. SIMKOWITZ
Notary Public
My Commission Expires
August 9, 2007

Lori Simkowitz

Signature

Notary Public

My appointment expires Aug. 9, 2007

Executed at _____ (city), Washington, this _____ day of
_____, 2000.

Michael A. Costa

STATE OF WASHINGTON)
) ss.
COUNTY OF)

I certify that I know or have satisfactory evidence that Michael A. Costa is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: _____

(Seal or stamp)

Signature
Notary Public
My appointment expires _____

I certify that I know or have satisfactory evidence that Zhi-Qiang Xia is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 12/14/00

(Seal or stamp)

Karen J. Maertens
Signature
Notary Public
My appointment expires 11/17/02

Executed at x Pullman (city), Washington, this 14th day of
December, 2000.

Michael A. Costa
Michael A. Costa

STATE OF WASHINGTON)
) ss.
COUNTY OF)

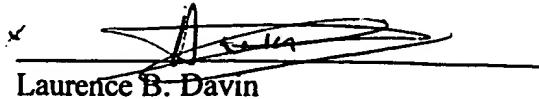
I certify that I know or have satisfactory evidence that Michael A. Costa is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 12/14/00

(Seal or stamp)

Karen J. Maertens
Signature
Notary Public
My appointment expires 11/17/02

Executed at Pullman (city), Washington, this 22 day of
December, 2000.

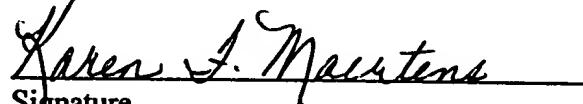

Laurence B. Davin

STATE OF WASHINGTON)
) ss.
COUNTY OF)

I certify that I know or have satisfactory evidence that Laurence B. Davin is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 12/32/00

(Seal or stamp)


Signature
Printed Name: KAREN F. MAERTENS
Notary Public
My appointment expires 11/17/02

Executed at PULLMAN (city), Washington, this 22nd day of
DECEMBER, 2000.


Norman G. Lewis

STATE OF WASHINGTON)
) ss.
COUNTY OF)

I certify that I know or have satisfactory evidence that Norman G. Lewis is the person who appeared before me, and said person acknowledged that he signed this instrument and

acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: 12/22/00

(Seal or stamp)

Karen F. Maertens

Signature

Printed Name: KAREN F. MAERTENS

Notary Public

My appointment expires 11/17/02

BFM:jlj